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FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

REMARKS

Claims 1 - 21 are currently pending in the application. The claims have not been amended in this paper. The foregoing separate sheets marked as "Listing of Claims" shows all the claims in the application, with an indication of the current status of each.

The title was objected to by the Examiner. The title has been amended per the Examiner's suggestion to read, "~~Collaborative Engineering Environment For Product-Centered Lifetime Support~~ Internet Based Product Data Management (PDM) System"

The drawings have been objected to by the Examiner because of poor line quality and unacceptable margins. The drawings have been amended and are provided in a separate document. The Examiner has also objected to the drawings stating that Figure 1 and Figure 6 should be labeled as PRIOR ART. This is incorrect. Figure 1, as identified in the specification, is the high level conceptual drawing of the present invention. The elements of Figure 1 show the object oriented data base 11 and its interaction with the collaborative layer 13 and the enterprise layer 15. The individual enterprise members are also shown as elements 17, 18, and 19. The tools 12 necessary to exchange information between the object oriented data base 11 and the enterprise members 17, 18 and 19 are shown as elements 12 within the collaborative layer 13. As this is the overview of the subject invention, calling this figure "PRIOR ART is incorrect. As for Figure 6, this drawing shows how the subject invention utilizes the Windchill™ Architecture within the context of the specific elements of the subject invention. Specifically, Figure 6 shows that the Information Transformation Services, Partial Information Management Services and Some Tools (defined in Figure 2 of the subject invention) would reside at the services level 611 of the Windchill™ Architecture, while the Domain User Interface would reside at the presentation level

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

601 of the Windchill™ Architecture. Therefore, as Figure 6 is used to overlay elements of the subject invention onto the Windchill™ Architecture, the drawing can not be considered PRIOR ART.

The Examiner's observations concerning articles cited in the specification is noted. Applicant is endeavoring to obtain copies of the same and such copies will be furnished in a separate Information Disclosure Statement when available.

The Examiner's request that papers "similar" to papers cited by the Examiner has been duly noted. It is respectfully submitted, however, that the Examiner has not suggested materiality or even relevance of the cited papers to the present invention. The inventors have acknowledge a duty to disclose information material to the examination of this application and information possibly required under 37 C.F.R. 1.56 will be promptly submitted for the Examiner's consideration.

The acknowledgment of domestic priority under 35 U.S.C 119(e) is noted with appreciation. However, refusal of the priority claim based on the provisional application is incorrect. As directed by the MPEP, 201.11 "Continuity Between Applications: When Entitled to Filing Date" paragraph (A) which states,

"The later filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional or provisional application); the disclosure of the invention in the prior application and in the later filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112."

The subject of the provisional application is the development of interfaces and common tools for enterprise level product data management (PDM) using the Windchill™ environment. The subject invention is a further definition of the specific interfaces developed within this environment. Therefore, the subject matter of the provisional application is the same subject matter of the subject application and the priority claim should be acknowledged in accordance with 35 U.S.C. 119(e) as discussed above in MPEP 201.11. Furthermore, as to the different inventive entities,

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

each of the inventors named in the subject invention have developed specific aspects of at least one claim in the subject invention. Thus, they are entitled to the benefit of the earlier filed provisional application which identified the subject of their more detailed utility application. All inventors named in the provisional are also named in the utility application. There is an inventor (i.e., Nguyen) named in the utility application in addition to those named in the provisional application as noted by the Examiner. This is completely consistent with the requirements as set forth in MPEP 201.11 "Continuity Between Applications: When Entitled to Filing Date" which states,

"Under certain circumstances an application for patent is entitled to the benefit of the filing date of a prior nonprovisional application or provisional application which has **at least one common inventor**. The conditions are specified in 35 U.S.C. 120 and 35 U.S.C. 119(e)."

The requirement is not that all inventors must be the same but that at least one inventor is the same. As this is the case for the subject application, the rejection is in error.

Claims 1 - 21 have been rejected for obviousness-type or non-statutory double patenting based on claims 1 - 20 of U. S. Patent Application 09/666,545. This ground of rejection is respectfully traversed, particularly since the Examiner has not made a *prima facie* demonstration of the propriety thereof but only a general reference to all claims of both applications and an erroneous assertion that the claimed object oriented database management system is the same as the generalized information management service of application 09/666,545. It is also respectfully submitted that such a rejection, if proper, should have been made as a provisional double patenting rejection since that application has not yet issued and, in fact, is pending before the present Examiner and reference to "the patent" are in error.

This application is the parent application to a continuation-in-part of application 09/666,545. The continuation-in-part application incorporates this

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

subject application by reference and thus discloses all subject matter of this application but additionally includes Figures 8 - 10 which illustrate the concept and particulars of including use of a product catalog or a product model in the CEE system. The claims of the subject patent are directed to the tools and techniques associated with implementing a computer based collaborative engineering environment (CEE) while the continuation-in-part application is directed toward the product catalogue within the CEE system. Therefore, the present claims are patentably distinct from the claimed subject matter of application 09/666,545 and the rejection for double patenting is clearly in error. Accordingly, reconsideration and withdrawal of this ground of rejection is respectfully requested.

The Examiner has interpreted the term "Enterprise" to mean authorized user to the Collaborative Engineering Environment. This interpretation is incorrect. Within the context of the subject invention, the term enterprise refers to the organization as a whole. Thus, the members of the enterprise comprise those members (e.g., software developers, systems engineers, program management, proposal teams, customers, etc.) shown on Figure 1 of the subject invention and may also include other member groups (e.g., sales, marketing corporate finance, piece part suppliers, etc.) across the scope of the business environment of the 'enterprise' not specifically named in the subject invention. This definition is well known in the industry and can be found easily by Internet search (www.dictionary.com) which reveals the term to mean "a business organization" as defined by The American Heritage Dictionary of the English Language, Fourth Edition, Houghton Mifflin Company, 2000. Additionally, a further search on the internet (www.searchwin2000.com) provides the following, "In the computer industry, an enterprise is an organization that uses computers. A word was needed that would encompass corporations, small businesses, non-profit institutions, government bodies, and possibly other kinds of organizations. The term enterprise seemed to do the job. In practice, the term is applied much more often to larger organizations than smaller ones."

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

Claims 1 - 21 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. This rejection is traversed.

With respect to claim 1, the Examiner is arguing that the terms "assets and tools" are indefinite. The term tools is used to include the business management and engineering development tools currently available commercially. These tools are identified and discussed repeatedly throughout the specification. Examples of the commercially available tools are named for the various enterprise domains. For example, on page 2, lines 20 - 23 of the subject application the engineering tools are discussed,

"Engineering tool interfaces are limited to computer aided design/computer aided manufacturing (CAD/CAM) tools or document file-centric interfaces such as text editors, word processors, spreadsheet tools, presentation tools, and selected external databases."

On page 4, lines 9 - 18, additional engineering tools are identified as,

"Multi-disciplinary engineering tools such as custom total ownership cost estimation, commercial cost estimation, performance analysis, stochastic modeling (e.g., SPAR™ predictive modeling tool available from Clockwork Group of Herzliya, Israel or Tiger available from the U.S. Government), requirements traceability, COTS Assessment and Selection Tools (CAST™, available from Lockheed Martin Naval Electronics and Surveillance Systems, Manassas, Virginia), are enabled through bidirectional automated information mappings between the tool and the information model managed in the underlying CEE (Collaborative Engineering Environment)."

While software tools are discussed on page 8, lines 27 - 30

"For instance, a software manager may choose to view or update the software requirements traceability matrix for a program using DOORS® available from Quality Systems and Software, Inc."

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

The term "information assets" is well understood in the art to refer to intellectual property and the associated information that defines the enterprise elements. For example, the information asset associated with the commercial cost estimating task that may use the SPAR™ predictive modeling tool would include an organization's cost of business (e.g., salaries, benefits, rent, etc.). This number and its supporting data is a closely guarded information asset that, if known by competitors, could give a competitor an advantage when bidding for projects. Therefore, since information assets and tools are well understood in the art and are discussed repeatedly throughout the specification, the claim is not indefinite as argued by the Examiner.

As for claim 12, the Examiner argues that the terms, "physical, functional, and environmental system requirements" are indefinite. Again, these are terms well understood in the art. A simple Internet search on any or all of these terms results in hundreds of recommended web sites. In addition, the numerous standards (e.g., Military, government and non-government, etc.) include listings of the types of topics that are necessary for inclusion in a requirements definition. Specifically, MIL-STD-961E (copies of which are available from the government on-line database ASSIST <http://assist.daps.dla.mil/quicksearch/>) defines the types of specifications and the detailed requirements within each of this specifications include physical requirements (e.g., height, width, depth, etc.), environmental requirements (e.g., temperature range, humidity range, dust resistance, water resistance, etc.) and functional requirements (e.g., performance requirements, interoperability requirements, etc.). Since the terms **physical, functional, and environmental systems requirements** are fully defined in publically available government and military standards documents, they are known terms in the art and are not indefinite.

With respect to claim 16, the Examiner has argued that the phrase, "assets and tools" is undefined. This phrase has been explained above in the discussion for claim 1. To reiterate, the specification clearly recites several specific examples of the types

of tools and assets that are considered relative to the subject invention. Therefore, the terms assets and tools are not indefinite relative to the subject invention. The Examiner also states that the phrase, "...relationships among the elements..." needs to be reworded for clarity. The Examiner appears to have assumed the term program applies to software. However, the use of the word **program** in this context does not refer to a software program but rather a business program such as a marketing strategy, advertising campaign or development project. As recited in claim 16,

"...wherein the associative information model defines physical, functional and operational attributes of elements within at least one domain area in the enterprise and relationships among the elements include a corresponding **program**, role or team..."

The use of the phrase program is important relative to the rest of the claim language of 'role and team'. That is, some of the elements of a business unit at the Enterprise level (see discussion above for defining the term "Enterprise") are program, role and team. For example, a business unit (or element at the Enterprise level) within a pharmaceutical company might be the Research and Development unit.

- The *program* on which this group (or element) is working could be anti-inflammatory drugs.
- The *role* of the group might be to identify daily dosages for existing drugs given the new research on impacts of anti-inflammatory drugs on Alzheimer disease progression.
- The *team* would be the actual names of the individuals in the company working on this project.

The assets and tools available to this element within the Enterprise would need to interoperate with other elements in the enterprise (e.g., the group that is researching new anti-inflammatory drugs) so that any break-through in one group would be available to the appropriate groups across the Enterprise. Therefore, these terms although possibly unfamiliar to the Examiner, are common terms used within the

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

business environment and are therefore, neither indefinite nor in need of clarification. They also do not relate to software programs as suggested by the Examiner except in the context that a group may include a software development group.

Claims 1 - 21 have been rejected under 35 U.S.C. 102(a, b) as being anticipated over the provisional application by Myers et al. (Exploiting the Collaborative Engineering Environment as a Critical Resource Multiplier). This rejection is traversed.

The Examiner has rejected the claimed invention and all of the 21 claims against an unavailable reference. That is, the provisional application, as discussed above provides benefit of priority to the subject claims having met the requirements of 35 U.S.C. 119(e). Specifically, the subject matter of the provisional application upon which the subject invention claims priority is the same inventive entity as that of the subject invention. Furthermore, all of the inventors of the provisional application are also inventors of the subject invention. Therefore, the reference cited by the Examiner is unavailable as an anticipatory reference. Finally, this reference, as shown in the attached bibliography of the Systems Engineering and Internet Interest Group is listed as being published in 2000, which would prohibit the article from being used as a 35 U.S.C 102 (b) reference over the subject patent file data of August 3, 2000. Furthermore, it is respectfully pointed out that the rejection for anticipation is, logically, diametrically contradictory to the Examiner's assertion, in seeking to deny the claim for priority, of lack of support in the provisional application for present claims. Accordingly, it is clear that this ground of rejection is in error and reconsideration and withdrawal of the same is respectfully requested.

Claims 1- 21 have been rejected under 35 U.S.C. 102 (b) as being anticipated over Myers et al. (Systems Design to Affordability in a Collaborative Systems Engineering Environment). This rejection is traversed.

This reference, as shown in the attached bibliography of the Systems Engineering and Internet Interest Group, is listed as being published in 1999. The

FE-00472

09/631,694

05400005AA

Reply to office action mailed 02/13/2004

rejection under 35 U.S.C 102 (b) requires that the article be published more than one year prior to the filing of the application. As discussed above, the subject application claims priority to the provisional application which was filed in 1999. Therefore, the article was not published more than a year before the provisional application was filed. Thus, the rejection is in error.

In view of the foregoing, it is requested that the application be reconsidered, that claims 1 - 21 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at 703-787-9400 (fax: 703-787-7557; email: marshall@wcc-ip.com) to discuss any other changes deemed necessary in a telephonic or personal interview.

If an extension of time is required for this response to be considered as being timely filed, a conditional petition is hereby made for such extension of time. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marshall M. Curtis".

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SE & the Internet Interest Group

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You can help to grow this bibliography by providing a complete reference and an abstract or annotation of up to 50 words. Use the Suggestions & Feedback page. Thanks for your interest.

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